

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

SEP 02 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CLAS FREDRIK MENDER,
GEIR FOSS-PEDERSEN, JOHN HENRICK TSCHUDI,
IB-RUNE JOHANSEN

Application No. 09/541,718

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on June 21, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed a Terminal Disclaimer dated April 5, 2001. It is not clear from the record that the Terminal Disclaimer has been considered by the examiner. A written communication notifying appellant of the examiner's consideration of the Terminal Disclaimer is required. If the Terminal Disclaimer is considered proper and is approved by the examiner, the face of the application file should be updated to reflect the time period disclaimed by appellant.

Accordingly, it is

ORDERED that the application is returned to the examiner for

1. consideration of the Terminal Disclaimer dated April 4, 2001, and
2. for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e. abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



CRAIG R. FEINBERG
PROGRAM AND RESOURCE
ADMINISTRATOR
(571)272-9797

CRF/dpv

Application No. 09/541,718

John C. Evans
Reising Ethington Barnes Kisselle
Learman & McCulloch, PC
P.O. Box 4390
Troy, MI 48099-9998